

Message Text

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ACTION EA-09

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FM AMEMBASSY MANILA
TO SECSTATE WASHDC 8346

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E.O. 11652: GDS
TAGS: SHUM, PINT, RP
SUBJECT: POLITICAL PRISONERS UPDATE

REF: MANILA 4357

1. AQUINO: GOVERNMENT HAS RESTED ITS CASE AGAINST AQUINO. NEXT HEARING IS TENTATIVELY SCHEDULED FOR APRIL 19, BUT SENATOR SALONGA TOLD EMBOFF APRIL 13 AQUINO WILL ASK POSTPONEMENT ON GROUNDS THAT THREE OF HIS LAWYERS WILL BE OUT OF COUNTRY. SALONGA WAS UNCERTAIN AS TO WHAT DECISION MILITARY TRIBUNAL NUMBER 2 WOULD MAKE, ALTHOUGH HE NOTED RUEFULLY TRIBUNAL INCLINED DISMISS OUT OF HAND ANY REQUEST SENATORS KIOKNO OR TANADA MAKE. SALONGA SAW AQUINO FEW DAYS AGO AND OFFERED POSTPONE HIS TRIP, BUT AQUINO TOLD HIM TO GO AHEAD. AQUINO IS IN EXCELLENT PHYSICAL SHAPE, BUT "HE IS NOT THE MAN HE WAS." SOLICITOR GENERAL MENDOZA TOLD EMBOFFS APRIL 12 HE UNDERSTOOD AQUINO HAD PREPARED LONG STATEMENT TO READ AT CONCLUSION OF TRIAL, BUT GAVE NO INDICATION WHETHER FORMER SENATOR WOULD BE ALLOWED TO READ IT.

2. LOPEZ/OSMENA: ON APRIL 12 MILITARY TRIBUNAL NUMBER 5 REJECTED SENATOR DIOKNO'S PLEA ON BEHALF OF HIS CLINETS THAT SINCE TRIBUNAL APPOINTED BY MARCOS AND RESPONSIBLE TO HIM, THERE IS SERIOUS DOUBT ABOUT IMPARTIALITY OF

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DISPOSITION OF CASE. TRIBUNAL ALSO REJECTED DIOKNO'S OBJECTIONS TO PUBLIC READING OF AFFADAVITS OF LEHMAN ET AL. SOLICITOR GENERAL TOLD EMBOFFS APRIL 12 SUPREME COURT IS NOW CONSIDERING APPEAL THAT PROLONGED DETENTION OF LOPEZ AND OSMENA MEANS GOP EFFECTIVELY FORFEITED RIGHT TO TRY THEM. COMMENTING THAT "THERE NO END TO LAWYERS' INGENUITY," MENDOZA SAID HE WOULD ARGUE

CASE AGAINST SENATOR TANADA BEFORE SUPREME COURT WITHIN A MONTH. MRSS. EUNGENIO LOPEZ, JR. TOLD EMBOFF APRIL 12 THERE HAD BEEN NO REPEAT NO MOVEMENT ON HER HUSBAND'S CASE OUTSIDE MILITARY TRIBUNAL. FYI - TO COMPOUND MRS. LOPEZ' PROBLEM, HER SON'S (EUGENIO LOPEZ, III, AMCIT DEFENDANT IN FORBES PARK RAPE CASE) CASE PROBABLY WONT' BE RESUMED UNTIL MAY SINCE JUDGE ON TRIP TO US. FROM SOURCE CLOSE TO SEC ENRILE, MRS. LOPEZ INFORMED MALACANANG HAS MADE IT CLEAR IT WANTS HER SON CONVICTED EVEN THOUGH ALLEGED RAPE VICTIM HAS TESTIFIED HE DID NOT TOUCH HER.

END FYI.

3. DE LA TORRE: REAMINS IN BICUTAN REHABILITATION CENTER, BUT WAS PRESENT FOR PRE-TRIAL HEARING IN DAVAO (SEE CEBU 21) WHERE HE WAS ALLOWED TO LUNCH WITH MARYKNOLL FATHERS. HE RETURNED FROM DAVAO WITH HIS MOTHER VIA SHIP AS "VACATION." MEMBER OF ASSN. OF MAJOR RELIGIOUS SUPERIORS DETAINEES COMMITTEE (AMRSP) TOLD EMBOFF APRIL 12 THAT DE LA TORRE HAS WHIPPED FELLOW BICUTAN DETAINEES INFO EFFICIENT ORGANIZATION AND THAT THEY ARE NOW WRITING THEIR OWN BROADSIDES, APPEALS TO GOVERNMENT AND INTERNATIONAL ORGANIZATIONS, ETC.

4. COMMENT: AS DEPARTMENT AWARE, EMBASSY HAS REQUESTED APPOINTMENTS FOR VISITING MEMBER OF WOLFF CODEL DR. JOHN SALZBERG WITH AQUINO AND DE LA TORRE. IF GOP PERMITS VISITS, EMBOFF PLAN ACCOMPANY AND WE MAY HAVE MORE TO REPORT THEN, ALTHOUGH DETAINEES THEMSELVES LEAST ABLE

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TO COMMENT ON WHAT THE GOVERNMENT HAS IN STORE FOR THEM.
SULLIVAN

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